

**Senate Bill No. 1754**

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Passed the Senate      May 8, 2002

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*Secretary of the Senate*

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Passed the Assembly      June 27, 2002

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day of  
\_\_\_\_\_, 2002, at \_\_\_\_\_ o'clock \_\_M.

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*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_\_

An act to amend Section 853.7a of the Penal Code, and to amend Section 40508.5 of the Vehicle Code, relating to bench warrants.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1754, McPherson. Bench warrants: assessments.

Existing law allows a county, by resolution of the board of supervisors, to require the courts of that county to impose an assessment of \$7 upon every person who fails to appear in court when required to do so, or who fails to comply with any valid court order.

Existing law requires the money collected under this system to be used for the development of an automated county warrant system.

This bill would raise to \$15 the amount that a county may require the courts of that county to assess upon every person who fails to appear in court or fails to comply with a valid court order.

This bill would authorize a county to use any money remaining after developing and maintaining the automated warrant system to fund a warrant service task force for the purpose of serving all bench warrants issued within the county.

*The people of the State of California do enact as follows:*

SECTION 1. Section 853.7a of the Penal Code is amended to read:

853.7a. (a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of supervisors, require the courts of that county to impose an assessment of fifteen dollars (\$15) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 853.7 is concurrently charged or a warrant of arrest is issued pursuant to Section 853.8.



(b) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used first for the development and operation of an automated county warrant system. If sufficient funds are available after appropriate expenditures to develop, modernize, and maintain the automated warrant system, a county may use the balance to fund a warrant service task force for the purpose of serving all bench warrants within the county.

SEC. 2. Section 40508.5 of the Vehicle Code is amended to read:

40508.5. (a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of supervisors, require the courts of that county to impose an assessment of fifteen dollars (\$15) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 40508 is concurrently charged or a warrant of arrest is issued pursuant to Section 40515.

(b) The courts subject to subdivision (a) shall increase the bail schedule amounts to reflect the amount of the assessment imposed by this section.

(c) If bail is returned, the amount of the assessment shall also be returned, but only if the person did not violate his or her promise to appear or citation following a lawfully granted continuance.

(d) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used first for the development and operation of an automated county warrant system. If sufficient funds are available after appropriate expenditures to develop, modernize, and maintain the automated warrant system, a county may use the balance to fund a warrant service task force for the purpose of serving all bench warrants within the county.



Approved \_\_\_\_\_, 2002

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*Governor*

